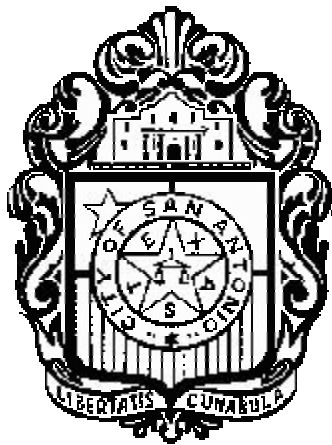


SOUTHSIDE INITIATIVE EXPANSION

PLANNING STUDY AND
REGULATORY PLAN FOR LIMITED
PURPOSE ANNEXATION



"Planning today for a better and brighter future tomorrow..."

SOUTHSIDE INITIATIVE EXPANSION

Planning Study and Regulatory Plan for Limited Purpose Annexation

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BACKGROUND

The City of San Antonio Planning Department has prepared a study leading to the limited purpose annexation of an unincorporated area located between State Highway 16 (SH 16) and Pleasanton Road beginning at the Southern City Limits 1,350 feet south of the centerline of the Medina River and extending southward along SH-16 to Loop 1604, hence eastward to a point between Jett Road and Applewhite Road, hence eastward following an imaginary line to Pleasanton Road, and hence north along Pleasanton Road to the existing City Limits located 1,350 feet south of the centerline of the Medina River at SH 16 (detailed description provided below).

Planning Milestones

Limited purpose annexation triggers a requirement for conversion to full purpose status within three years unless the date for full purpose annexation is postponed by written agreement between the City and a majority of the affected landowners. State law establishes planning milestones for each of those three years:

- By the end of the first year, the City must prepare a land use and intensity plan to be a basis for services and capital improvement project (CIP) planning.
- By the end of the second year, the City must include the area in the long-range financial forecast and in the program to identify future CIP projects.
- By the end of the third year, the City must include CIP projects for the area in the adopted CIP program and identify potential sources of funding.

Area Description

An area of approximately 4,080 acres, extending from the southern limited purpose city limits of the City of San Antonio, southerly and along the western right-of-way line of State Highway 16 to a southern boundary extending easterly following the southern right-of-way line of S Loop 1604 W for an approximate distance of 1.6 miles, and then parallel to S Loop 1604 W as defined by the Texas Department of Transportation, for an approximate distance of 3.25 miles to the eastern boundaries of and including the Galvan and Duran tracts; thence northeasterly to the eastern right-of-way line of Pleasanton Rd continuing northeasterly along said right-of-way to the limited purpose city limits of the City of San Antonio; the area being generally between State Hwy 16 and Pleasanton Rd. This includes property within the Land Heritage Institute of the Americas. A map of the area is found in Attachment 1.

Comprising the predominant use, approximately 67 percent of the study area is agricultural land. The remainder of the study area includes a range of land uses.

Approximately 22 percent of the study area is composed of public or institutional uses. Undeveloped or underdeveloped lands comprise about 3 percent of the study area. Approximately 5 percent of the area currently is in residential use. Commercial uses comprise about 1 percent of the area. Street rights of way comprise the remaining area.

The area's population is estimated at approximately 428 residents and contains 142 dwelling units comprised of 87 single-family homes and 55 mobile homes.

PLANNING STUDY

The sections that follow outline the planning study for the area proposed for limited purpose annexation prepared in accordance with §43.123 (c) of the Local Government Code.

Projected Ten Year Development with and without Limited Purpose Annexation

A significant percentage of the study area is undeveloped or underdeveloped. It is assumed that a significant portion of the area will experience growth due to the industrial expansion along major thoroughfares and other existing roads in the area. This growth is anticipated as a result of the growth in commercial truck traffic and rail cargo shipments. The further development of the Toyota facility and its suppliers also could have development impacts in the study area. The anticipated development will occur with or without annexation.

Issues Supporting Limited Purpose Annexation

Increased economic development and population growth in the region is expected to induce development and redevelopment activities in this study area. Limited purpose annexation will enable the City to regulate the type and character of development and redevelopment through the application of zoning, site development standards, building codes and other regulatory tools not available in unincorporated areas. Regulations for nonconforming uses will provide for the gradual elimination of existing incompatible uses. This will benefit the public by creating planning, high quality and sustainable development that will create a long term investment for the community.

In the absence of regulations, the economic stimulus of the commercial and residential growth in the southern sector of San Antonio will result in incompatible land use changes in the proposed annexation area. The application of zoning following limited purpose annexation will minimize the displacement of agricultural uses and long-term residents that might otherwise occur.

Public Benefit from Limited Purpose Annexation

Limited purpose annexation provides the time necessary to plan for needed improvements while allowing for the immediate application of land use controls and other City regulations in advance of future economic development and growth in the surrounding area.

The three year period between limited purpose annexation and full purpose annexation will give the City additional time to plan for the provision of services in the study area. Property owners in the area will have three years to plan for the financial impact of full purpose annexation.

Economic, Environmental and Other Impacts of the Limited Purpose Annexation

Limited purpose annexation will establish a framework for comprehensive planning for the area. After an area is annexed for limited purposes, the City will begin planning for the delivery of services in preparation for full purpose annexation. Furthermore, the application of zoning, development standards and building codes will help ensure quality development or redevelopment and protect property values by ensuring that all new development and redevelopment meets higher standards than would otherwise be enforced. Zoning regulations will protect property owners, businesses and residents from the intrusion and expansion of incompatible uses.

The study area is rich in natural, agricultural, archeological and historical resources. This array of resources provides a unique opportunity to promote sustainable development, cultivate heritage and ecotourism initiatives, and maintain current agribusiness and mineral extraction activities in a manner that protects the public health, safety and welfare.

Agriculture

Presently, agri-business takes advantage of the Blackland Prairie and Coastal Plains soils. The Blackland Prairie's fertile and workable soils made it the principal cotton-producing area of Texas until the 1930's. The topography contrasts from gentle rolling to nearly level soils. Historically, these soils of dark clay and sandy loam were covered with grasses. The Coastal Plains predominantly consists of brush lands.

Farm and Ranch District or Resource Protection zoning may be recommended as a means for protecting farm and ranch lands on the urban fringe from development. Through this type of zoning, productive farm and ranch land near the metropolitan area is kept in use and the rural character is preserved. Farm and Ranch, as well as Resource Protection Zoning Districts are composed mainly of unsubdivided lands that are vacant or in agricultural use with a limited number of dwellings and accessory uses.

Transportation and Commerce

It is assumed that commerce will continue to expand, locating along expressways and arterials. The enactment of the North American Free Trade Agreement (NAFTA) on January 1, 1994 and sustained national economic growth has significantly increased trade between the US and Mexico. This increase in

economic activity has contributed to the rise in commercial truck traffic in South Texas. Truck traffic volumes will continue to increase on SH 16, a principal trade corridor across South Texas to Mexico that is located at the edge of the study area. From 1990 through 1996, northbound truck traffic from Mexico increased by 30% and southbound traffic will likely increase in the future. The proposed Kelly Parkway, which would run from SH 16 to US Hwy 90 will increase the use of SH 16 by truck traffic in the study area.

In preparation for the access needs of the Toyota facility a number of Capital Improvement Projects have been planned in and around this annexation study area. Annexation into the City will allow programming of City Bond Projects in this area.

Table 1. Major Capital Improvement Projects for the area:

Improvement Name	Scope	Cost	Target Date
Loop 1604 at SH 16	Construct eastbound exit from Loop 1604 to SH 16 and westbound Loop 1604 entrance from SH 16	\$1,650,000	2005
Loop 1604 at Applewhite Rd.	Reconstruct at-grade intersection to improve site distance and install signals.	\$2,206,000	2007
Loop 1604 from IH-35 South to IH-37 South	Construct sections of passing lanes to improve quality of flow along Loop 1604.	\$3,515,000	2006
Applewhite Road from Watson Road to Loop 1604 South	Acquire necessary right-of-way and reconstruct.	\$12,800,000	2005

It is assumed that industrial uses may expand as international trade opportunities expand. Additionally, expansion of commercial truck servicing and travel related commerce is anticipated. Industrial zoning districts promote the safe storage of hazardous materials in locations that do not endanger neighborhoods and ensure that land uses and development are compatible in their use, character and size to the site and surrounding areas. The industrial zoning districts require convenient access to existing and future thoroughfares and accommodate uses that are environmentally severe or generate high volumes of truck traffic. The establishment of zoning provides for orderly development and concentration of industrial and manufacturing uses.

Commercial zoning districts would permit commercial activities designed to serve the neighborhood, community or region, while ensuring compatible development and appropriate buffers between residential and commercial uses.

Water Resources

The entire study area is located in the San Antonio Water System (SAWS) certificated water service area. In addition to providing water and sewer service, SAWS promotes water quality by enforcing federal permit requirements for treatment of storm water runoff.

Regulations pertaining to flood plain protection and storm water management will provide adequate measures for the retention, detention and distribution of storm water in a manner that minimizes the possibility of adverse impacts of both water quality and water quantity during development. To further protect the area's natural character, natural storm water conveyance systems including earthen drainage channels, temporary ponds and on-site storage currently are options provided for in the City's development code.

Surface water resources in the area are the Medina River, Elm Creek and Palo Blanco Creek. The Medina River, a principal tributary of the San Antonio River, is spring fed and gives a remarkably steady flow of clear water. The Medina River originates in springs in northwest Bandera County. The river then flows southeast for 116 miles to its mouth, on the San Antonio River in south Bexar County.

The Carrizo-Wilcox Aquifer underlies the study area, one of the most extensive water-bearing formations in Texas. This aquifer furnishes water to wells yielding fresh to slightly saline water that is acceptable for most irrigation, public supply and industrial uses. The San Antonio Water System currently is constructing an Aquifer Storage Recovery Facility to store drinking water underground. The technology utilizes existing formations to store water. In addition to the water storage facility, SAWS is constructing a water treatment plant for Carrizo-Wilcox water southeast of the study area. This plant will reduce pumping from the Edwards Aquifer during summer months and during drought conditions.

Open Space and Parks

The protection and development of natural areas would promote ecotourism and provide opportunities for recreation. A diversity of plant and animal life characterizes the study area. Principal plants are mesquite, small live oak, post oak, prickly pear cactus, catclaw, blackbrush, whitebrush, huajillo, huisache, cenizo and others that provide dense cover. The study area is a destination for

migratory birds. Bird watching is a fast growing tourist activity across the state of Texas.

Open space regulation is instrumental in preserving habitat, protecting the quality and quantity of water resources, providing an alternative means to manage storm water runoff, promoting good air quality and creating opportunities for recreation and education. A comprehensive plan could address the extension of a regional system of greenways along creeks and the Medina River to connect parks and recreation areas.

The Medina River Park, owned by the City of San Antonio, is located immediately north of the study area along SH 16 and the Medina River. The Park consists of about 362 acres of undeveloped area that is planned for the development of a large urban park.

The Land Heritage Institute of the Americas, a 1,640 acre land-based education, training, recreation and research facility, is located within the study area on the Medina River. The Institute is located on a portion of the formerly proposed Applewhite Reservoir site owned by SAWS. Facilities planned for the Institute are a training facility with a satellite interpretive center and a conference/retreat center. The Institute will interpret historic land use practices that include Antebellum period cash-crop farming, Spanish Colonial ranching and indigenous hunting-gathering. Additionally, the area exhibits extraordinary biodiversity, including four wetland areas and nine major vegetation cover types. Trails will be established along Medina River and link to Leon Creek Greenway, Mission Trails, Mitchell Lake, and Medio Creek.

Scenic, Cultural and Historic Resource Protection

Historic structures in the southern Bexar County area may be endangered by unregulated development, traffic, deterioration or vandalism. The City's code provides mechanisms to preserve elements of our cultural heritage including buildings, monuments, *acequias* and other features. The study area was surveyed in 1973 and in 1999. The two surveys indicate a loss of historic resources, a process that could be abated by the implementation of zoning.

Protecting the outstanding scenic and rural qualities of corridors and historic landscapes would provide an impetus for heritage tourism. Corridors that could merit protection are areas along roads with outstanding vistas, historic bridges and railroad rights-of-way. Zoning regulations and development codes could control the installation of new signs, billboards, and utilities; eliminate visual clutter; protect scenic views and preserve historic sites.

Spearheaded by the Alamo Area Council of Governments and advocates in several Texas counties, including Bexar County, a national initiative to designate El Camino Real de los Tejas as a National Historic Trail currently is underway. El Camino Real, also known as the Lower Presidio Road and the Old San Antonio Road, is in the vicinity of Old Pleasanton Road in the study area. Upon designation, technical assistance to interpret and market this historic Spanish Colonial Road as a heritage tourism resource would be available, on a voluntary basis, to the owners of property that the trail traverses. Two additional historic roads in the study area that warrant investigation are 1) *El Camino de Palo Alto* or *El Camino de Agua Negra* (circa 1848-1860), near the vicinity of SH 16 and 2) Old San Antonio-Laredo Road, circa 1755-1860 – near vicinity of Old Pleasanton Road.

Sites along the Medina River have historical significance. On August 18, 1813, the Republican Army of the North, fighting to uphold the declared independence of Mexico from Spain, met defeat in the battle of Medina at the river southeast of San Antonio de Béxar. Forces under Spanish General Joaquín de Arredondo killed hundreds of rebel troops. Possible locations in the study area for the Battle of Medina's initial engagement are at the Medina River near Applewhite Road and Pleasanton Road. New information locates the main engagement near Pleasanton Road at Gallinas Creek near the Bexar-Atascosa county line, south of the study area. Such sites may merit historical designation.

Several of the early leaders of San Antonio are buried in the southern portion of Bexar County in a number of old and possibly historic cemeteries, among them Jose Francisco Ruiz and Asa Mitchell. Jose Ruiz was born in San Antonio on January 29, 1783. He was one of the four representatives of Bexar County at the convention of 1836 at Washington on the Brazos. A signer of the Declaration of Independence, he represented Bexar County in the Senate of the first Congress. Francisco Ruiz, his son, was the acting mayor of San Antonio in 1836. Asa Mitchell was one of Stephen F. Austin's "Old 300" who came to Texas in 1822. He was an early advocate of Texas independence, helping draw up the Declaration of Independence and fighting in the Battle of San Jacinto. Mitchell County is named for him.

Several unincorporated historic settlements are located in the area including Oak Island, Earle and Thelma. Oak Island, located south of the Medina River near SH 16. J. Limber founded a Presbyterian Church at this location in 1847 that was abandoned in 1975. In 1878, John Wesley DeVilbiss established a Methodist Church in Oak Island that continues to operate today, located at 3030 DeVilbis Lane.

Earle, located south of the Medina River near Pleasanton Road was an early stop on the San Antonio, Uvalde and Gulf Railroad and as early as 1890 housed a

blacksmith, a general store, a butcher and a doctor. Thelma, located near Loop 1604 and Pleasanton Road, was established around 1900. Thelma housed a post office that was opened in 1906 and in 1912 Thelma became a stop on the San Antonio, Uvalde and Gulf Railroad.

Oil and Gas Extraction and other Environmental Hazards

Petroleum and natural gas extraction activities occur in the study area. Standards included in the City's Zoning Ordinance provide for standards for oil and gas extraction that would protect the public health, safety and welfare of persons in present and future residential developments. Zoning standards also provide for well head setbacks from streets, residences, schools, colleges, hospitals, churches, cemeteries and parks; pipeline safety; and well-plugging and abandonment processes. Illegal dumpsites and other potential environmental and human health hazards could be controlled through the city's development and nuisance codes.

Proposed Zoning for the Area

Pursuant to §43.127 (b) of the Local Government Code, the City will develop a land use and intensity plan as a basis for services and capital improvement projects planning by the end of the first year after the date an area is annexed for limited purposes. After completion of this plan, suitable zoning designations may be recommended for the area based on the plan. The Zoning Commission will hold at least one public hearing and make a recommendation to the City Council concerning any rezoning. The City Council will hold a public hearing and adopt any changes to the zoning map.

Factors that will be used to recommend appropriate zoning include consideration of the public health, safety, and general welfare and protection of historical and cultural areas. The City shall consider the size, shape and characteristics of parcels and their suitability for different types of development intensity. The compatibility of adjacent land uses with those in and around the study area will be considered. In addition to the factors that may be set out in the land use and intensity plan, general Master Plan goals to promote affordable housing, economic development, and smart growth principles such as mixed-use, pedestrian oriented development also may guide the zoning decisions. Providing an alternative to urban sprawl, smart growth principles focus on creating more resource efficient and livable communities, with more accessible land use patterns. The City finds that vast acreages of single-use zoning produces uniformity with adverse consequences such as traffic congestion, air pollution and social alienation. Accordingly, zoning designations which promote mixed uses subject to high degree of design control are not necessarily deemed inconsistent and shall be considered.

From the effective date of the limited purpose annexation until the property is subsequently rezoned, the area will be treated for development purposes in accordance with §35-352 of the Municipal Code, which provides for Development Reserve ("DR") zoning for newly annexed property. While use restrictions are imposed pursuant to the DR district, it is recognized that the annexed property may be compatible for a use permitted in other zoning districts. It is the policy of the City to initiate rezoning of the property to an appropriate zoning classification upon completion of the land use and intensity study.

Uses permitted by right within the DR zoning district include all uses permitted in the R-6 Residential Single-Family zoning district which include single family homes, churches, schools, nurseries, recreation facilities and accessory uses. Nonconforming rights may be granted to newly annexed area in accordance with §35-703 of the Municipal Code. The development standards applicable to a DR zoning district shall be those required within the R-6 zoning district until the property is rezoned to another zoning district.

§35-352 and –703 are attached to this study (see Attachment 2). Any comments regarding the proposed rezoning will be considered at the public hearings for the proposed limited purpose annexation.

Table 2. Dimensional Standards for DR Zoning Districts:

Zoning District	Min. Lot Size (sq ft)	Max. Density (du/acre)	Min. Front age (ft)	Min. Lot Width (ft)	Max. Lot Width (ft)	Max. Building Height (ft)	Min. Front Setback (ft)	Max. Front Setback (ft)	Min. Side Setback (ft)	Min. Rear Setback (ft)
DR	6,000	7	30	50	150	35 (2 ½ story)	10	N/A	5	20

REGULATORY PLAN

Development Regulations

The following planning, zoning, health and safety ordinances will be enforced in the area if annexed for limited purposes:

- Building Code (Chapter 6 of the Municipal Code)
- Electricity Code (Chapter 10 of the Municipal Code)
- Fire Prevention Code (Articles III and IV of Chapter 11 of the Municipal Code)
- Solid Waste Code specifically pertaining to Lot Clearance (Article V of Chapter 14 of the Municipal Code)
- Licenses and Business Regulations specifically pertaining to Salvage Yards and Auto Dismantlers (Article VII of Chapter 16 of the Municipal Code)
- Plumbing Code (Chapter 24 of the Municipal Code)
- Signs and Billboards (Chapter 28 of the Municipal Code)
- Water and Sewers (Chapter 34 of the Municipal Code)
- Unified Development Code (Chapter 35 of the Municipal Code), including, but not limited to, all zoning regulations

and all subsequent amendments, replacement ordinances, and related technical and illustrative manuals to these ordinances. Notwithstanding the Municipal Code references above, the following exceptions shall be established if this area is annexed for limited purposes:

- Property owners will be allowed to erect, maintain, and repair traditional barbed wire or electric fences used in conjunction with agricultural, farming or ranching operations.
- Limited sales and possession of fireworks is permitted in areas annexed for limited purposes in accordance with Ordinance No. 97683.
- Fees will be waived for property owners seeking to register existing uses as non-conforming rights.

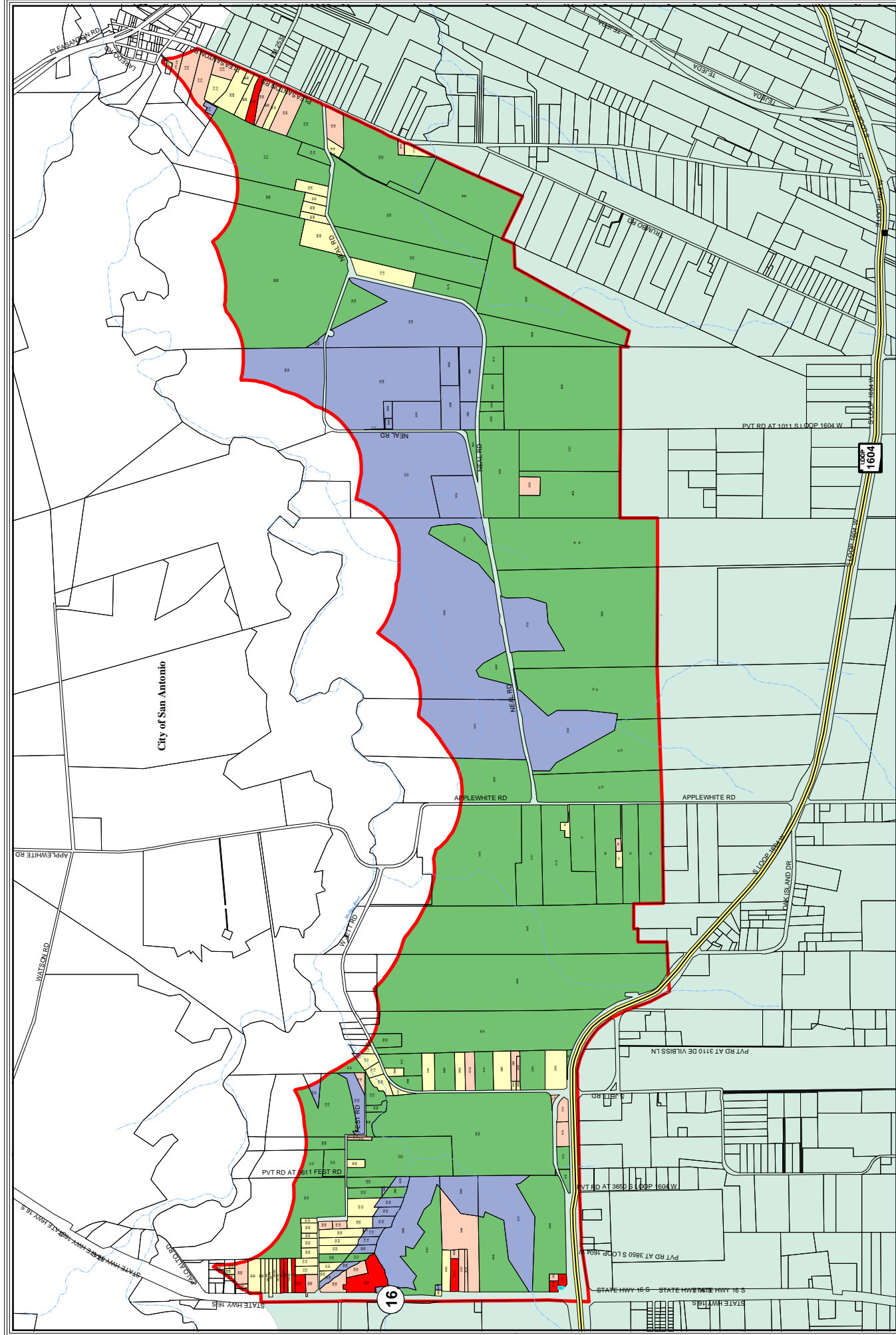
The City has used its best efforts to provide accurate references to the Municipal Code sections in which the ordinances described above are codified. In the event that a portion of the Municipal Code listed above contains a reference to a portion of the Municipal Code or another City Ordinance that is not listed above then, to the extent necessary to either provide meaning to or to carry out the meaning of the listed portions, the referenced portions of the Municipal Code or other City Ordinances shall also apply. Any failure to list all relevant Municipal Code references is inadvertent and will not affect enforcement of the ordinances by the City.

The adopted regulatory plan must be the same as the proposed regulatory plan unless the San Antonio City Council finds and states in the ordinance the reasons for adoption of a different regulatory plan. The San Antonio City Council by ordinance may change an adopted regulatory plan if, in the ordinance making the change, the City Council finds and states the reasons for the adoption of the change.

Future Full Purpose Annexation

The area will be included within the City's full purpose jurisdiction within three years of the effective date of the limited purpose annexation ordinance unless the date for full purpose annexation is postponed by written agreement between the City and a majority of the affected landowners.

Attachment 1: Southside Initiative Expansion Map



Legend

- Study Area (4,063 Acres)
- Parcels
- Agricultural
- Residential
- Vacant
- Public Institution
- ~ Highways
- ~ Lakes
- ~ Creeks
- City of San Antonio
- Bexar County

City of San Antonio
Planning Department
 Eric B. Mancoske, AICP, AIA
 Director, Planning Department
 Development Business Service Center
 San Antonio, TX 78245

Source: Existing Land Use from
 Base Appraisal Data

Far Southside Limited Annexation
 Generalize Land Use

Scale: 0 0.25 0.5 Miles

Map Information:
 City of San Antonio, Texas
 Planning Department
 Far Southside Limited Annexation
 Generalize Land Use
 Map Date: 01/15/2024
 Map Scale: 1" = 100 Feet
 Map Projection: NAD 83, UTM Zone 16N
 Map Datum: NAD 83
 Map Units: Feet
 Map Contour Interval: 10 Feet
 Map Contour Elevation: 1000 Feet
 Map Contour Label: 1000
 Map Contour Color: Blue
 Map Contour Style: Solid
 Map Contour Width: 2
 Map Contour Offset: 0
 Map Contour Join: Round
 Map Contour Cap: Round
 Map Contour Dash: None
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 Map Contour Cap: Round
 Map Contour Dash: None
 Map Contour Weight: 2

Attachment 2: Excerpts from the Unified Development Code

35-352 *Development Reserve ("DR")*

(a) *Purpose*

The purpose of the Development Reserve ("DR") zoning district is to provide a temporary zoning classification for newly-annexed property. While use restrictions are imposed pursuant to the "DR" district:

- (1) it is recognized that the annexed property may be compatible for a use permitted in any zoning district; and
- (2) it is the policy of the City to rezone the property to an appropriate zoning classification as soon as practicable.

(b) *Development Restrictions within "DR" Zoning Districts*

- (1) Uses permitted within a "DR" zoning district shall be the uses permitted in the "R-6" zoning district unless and until the property is rezoned to another zoning district.
- (2) The development standards applicable to a "DR" zoning district shall be the those required within the "R-6" zoning district unless and until the property is rezoned to another zoning district.

35-703 *Newly annexed territory.*

Nonconforming rights may be granted to newly annexed areas in accordance with the following provisions and upon payment of the fees specified in Exhibit C. All applications for nonconforming rights must be filed within sixty (60) days of the effective date of annexation.

(a) *Incomplete construction.*

Construction may be completed on any structure legally under construction upon annexation provided:

- (1) The owner or his designated representative applies to the director of building inspections for a permit to authorize further work on the structure stating the proposed use of the structure and attaching thereto the plans and specifications relating to the construction; and

- (2) The construction is completed within two (2) years of the effective date of annexation.

Action on the permits shall be taken by the director of development services within fifteen (15) days from the date of application. The director shall deny the permit if he finds that the construction will not meet the requirements of the building, fire protection, or minimum housing codes and other applicable ordinances and codes of the city. If the permit is refused, the construction work shall cease until necessary corrections are made.

(b) *Proposed construction.*

Proposed construction may be completed upon a finding by the zoning commission that sufficient evidence exists that planning for the proposed use was in progress prior to annexation, as prescribed by Appendix B to this Chapter. Within fifteen (15) days from the date of such filing, the director shall present the evidence to the zoning commission for their determination, unless the applicant agrees to a longer period. The applicant shall have twelve (12) months from the date of the zoning commission's favorable determination to secure all building permits. After that time, the nonconforming rights shall expire.

(c) *Master Development plans.*

Newly annexed areas may be entitled to nonconforming rights for a master development plan upon favorable consideration by the zoning commission. The zoning commission shall conduct a public hearing on the nonconforming rights master development plan after giving notice to the owners of property within two hundred (200) feet in the manner provided in section 35-403 for a rezoning. The purpose of the public hearing shall be to ascertain (1) the extent to which development of the master development plan had progressed prior to annexation and (2) the extent to which the master plan complies with the policies and objectives of the city's Land Use Plan. If the zoning commission approves the master development plan, construction in conformance with the plan must begin within one (1) year, with all portions of the plan either completed or under construction within five (5) years from the date of annexation. After that time, the nonconforming rights shall expire.